

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY eg D.C.
05 AUG -2 PM 2: 30

PAUL FARNSWORTH a/k/a
RONNIE BRADFIELD,

Plaintiff,

vs.

EDWARD BAXTER,

Defendant.

X
X
X
X
X
X
X
X
X
X
X
X

No. 03-2950-B/V

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

ORDER DENYING MOTION TO AMEND

On February 1, 2005, plaintiff Paul Farnsworth, a/k/a Ronnie Bradfield, Tennessee Department of Correction ("TDOC") prisoner number 219625, who is currently incarcerated at the Northwest Correctional Complex in Tiptonville, Tennessee, filed a motion seeking leave to amend or supplement his claim to assert claims against David Mills, the warden at the West Tennessee State Prison ("WTSP"); TDOC Commissioner Quenton White; and WTSP Deputy Warden Henty Stewart. On February 24, 2005, the plaintiff submitted certain documents he contends were inadvertently omitted from his February 1, 2005 motion. Defendant filed a response in opposition to the motion on February 22, 2005.

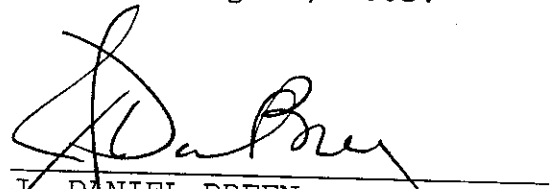
The proposed amendment asserts that Mills, White, and Stewart failed to supervise defendant Edward Baxter to ensure that he provide the plaintiff with Messianic Jewish religious services

after a grievance committee at the WTSP directed him to do so. The plaintiff seeks compensatory and punitive damages against these new defendants.

Plaintiff first asserted these claims against Mills, White, and Stewart (who was originally sued as "Steward") in his original complaint and his amendment filed on April 6, 2004. In an order issued on August 2, 2004, the Court dismissed the claims against these defendants pursuant to 42 U.S.C. § 1997e(a), for failure to exhaust, and pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim on which relief may be granted. The plaintiff's proposed amendment provides no basis for altering any aspect of this ruling.

Accordingly, the Court DENIES plaintiff's motion for leave to amend.

IT IS SO ORDERED this 1st day of August, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 91 in case 2:03-CV-02950 was distributed by fax, mail, or direct printing on August 3, 2005 to the parties listed.

Pamela S. Lorch
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 20207
Nashville, TN 37202--020

Edward Baxter
STATE OF TENNESSEE DEPARTMENT OF CORRECTION
Warden's Office
P.O. Box 1150
Henning, TN 38041

Paul Farnsworth
219625
960 State Route 212
Tiptonville, TN 38079

Honorable J. Breen
US DISTRICT COURT